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State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 538-3872

## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

<b>COMPLAINANT:</b>	:	<b>NOTICE OF INFORMAL</b>
	:	<b>ADJUDICATIVE PROCEEDING</b>
UTAH INSURANCE DEPARTMENT	:	<b>AND ORDER</b>
	:	
<b>RESPONDENT:</b>	:	<b>FAILURE TO PAY FEE</b>
	:	
Charlotte Coles Goldston	:	DOCKET No. 2009-027 LC
3400 Floyd Road	:	
Franklin, TN 37064	:	Enf. Case No. 2387
License No. 237490	:	

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) §§ 31A-2-101 and 63-46b-3 and Utah Administrative Code (U.A.C.) Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

### **FINDINGS OF FACT**

1. Respondent is an insurance producer authorized to do the business of insurance in the State of Utah holding license number 237490.
2. Respondent was assessed a paper processing fee in the amount of \$25.00 pursuant to U.A.C. Rule R590-102-12(2) on February 20, 2008, that was due on March 26, 2008.
3. Respondent failed to pay the paper processing fee when due.
4. Respondent was notified of the past-due fee, and was sent a third invoice on or about

December 31, 2008, by certified mail. As of the date of this action, Respondent has failed to pay the fee assessed.

Having entered his Findings of Fact, the Commissioner now enters his:

**CONCLUSION OF LAW**

1. In failing to pay the paper processing fee when due, Respondent violated U.A.C. Rule R590-102-12(2).

2. Pursuant to U.C.A. § 31A-2-308(1)(b)(i), when a licensee violates an Insurance Department Rule, the commissioner may assess an administrative forfeiture of up to \$2,500.00 per violation.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

**ORDER**

**IT IS HEREBY ORDERED:**

1. Respondent shall pay an administrative forfeiture in the amount of \$100.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall also pay the paper processing fee in the amount of \$25.00, in addition to the forfeiture assessed herein. Said payment shall be made no later than ten (10) days after the date this Order becomes final.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

### **NOTIFICATION**

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, P.O. Box 146901, Salt Lake City, Utah 84114-6901, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

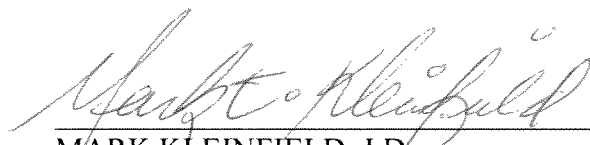
You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license and the filing of an action to enforce this Order in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

Questions regarding this Adjudicative Proceeding should be directed to Tara Buehner, at the Utah Insurance Department (801) 538-3291.

DATED THIS 25 day of February, 2009.

D. KENT MICHIE  
INSURANCE COMMISSIONER

  
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MARK KLEINFELD, J.D.  
ADMINISTRATIVE LAW JUDGE  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

**UTAH  
Invoice**

Page 1

Printed Date: February 25, 2009

Invoice Date: February 25, 2009  
Balance Due: \$100.00  
Due Date: March 23, 2009  
Invoice ID: 406045

GOLDSTON CHARLOTTE COLES  
3400 FLOYD RD  
FRANKLIN TN 37064-9505

Item Description	Amount
Monetary Penalty Individual	\$100.00
<b>Original Amount Due</b>	<b>\$100.00</b>

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**UTAH  
Invoice**

Printed Date: February 25, 2009

Invoice Date: February 25, 2009  
Balance Due: \$100.00  
Due Date: March 23, 2009  
Invoice ID: 406045

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114-6901

**Detach and Return with Payment**

**UTAH  
Invoice**

Page 1

Printed Date: February 25, 2009

Invoice Date: February 20, 2008  
Balance Due: \$25.00  
Due Date: March 26, 2008  
Invoice ID: 371912

GOLDSTON CHARLOTTE COLES  
3400 FLOYD RD  
FRANKLIN TN 37064-9505

Item Description	Amount
Producer Paper Application Processing	\$25.00
<b>Original Amount Due</b>	<b>\$25.00</b>

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**UTAH  
Invoice**

Printed Date: February 25, 2009

Invoice Date: February 20, 2008  
Balance Due: \$25.00  
Due Date: March 26, 2008  
Invoice ID: 371912

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114-6901

**Detach and Return with Payment**

CERTIFICATE OF MAILING

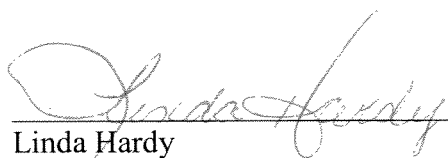
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER

To the following:

Charlotte Coles Goldston  
3400 Floyd Road  
Franklin, TN 37064

DATED this 25<sup>th</sup> day of February, 2009.



Linda Hardy

Court Clerk

Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114-6901